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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,456	06/23/2003	Toshihiro Ueno	4255-4	7234
23117	7590	01/08/2007	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			WYSZYNSKI, AUBREY H	
			ART UNIT	PAPER NUMBER
			2134	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/08/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/600,456	UENO, TOSHIIRO	
	Examiner	Art Unit	
	Aubrey H. Wyszynski	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 June 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/23/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-6 are pending.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 6/23/03 is being considered by the examiner.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakai et al, U.S. Patent Application Publication No. 2001/0034713.

Regarding claim 1, Nakai discloses in the context of one or more electronic appliances/image processing device (fig. 1, #11), incorporating one or more restricted functions in addition to one or more standard functions, a method for releasing at least one restriction of at least one of the restricted function or functions, the electronic appliance function restriction release method being characterized in that it comprises one or more function restriction release program execution steps/releasing key operation (fig. 4) wherein one or more function restriction release programs capable of releasing at least one restriction of at least one of the restricted function or functions is caused to be executed on one or more host computers/managing device (fig. 1, #12); one or more communication steps wherein communication is carried out between or among at least one of the host computer or computers and at least one of the electronic appliance or appliances at one or more times when at least one of the host computer or computers is connected to at least one of the electronic appliance or appliances (fig. 8, #45); and

one or more function restriction release steps wherein at least one restriction of at least one of the restricted function or functions at at least one of the electronic appliance or appliances is released/releasing key (fig. 4, #U6).

Regarding claim 2, Nakai discloses an electronic appliance function restriction release method according to claim 1 characterized in that the electronic appliance function restriction release method further comprises

one or more identification steps wherein at least one host computer that has carried out at least a portion of the electronic appliance function restriction release processing is identified (fig. 4, #S1); and

one or more function enabling steps wherein at least one function subject to function restriction release is enabled for only at least one of the host computer or computers identified at at least one of the identification step or steps as having carried out at least a portion of the electronic appliance function restriction release processing (fig. 4, #U7).

Regarding claim 3, Nakai discloses an electronic appliance function restriction release method according to claim 1 characterized in that the electronic appliance function restriction release method further comprises

one or more function restriction status determination steps wherein, in the event that one or more drivers capable of controlling at least one of the electronic appliance or appliances is or are installed on at least one of the host computer or computers (fig. 6, #22), at least one status of at least one restricted function of at least one of the

electronic appliance or appliances is determined when at least one of the host computer or computers is connected to at least one of the electronic appliance or appliances (fig. 4, #S5);

one or more driver enabling steps wherein, in the event that one or more function restrictions has or have been released, at least one driver for at least one of the restricted function or functions is enabled (fig. 4, #U7); and

one or more driver disabling steps wherein, in the event that one or more function restrictions has or have not been released, at least one driver for at least one of the restricted function or functions is disabled (fig. 4, #U8 and S6).

Regarding claim 4, Nakai discloses an electronic appliance incorporating one or more restricted functions in addition to one or more standard functions, the electronic appliance being characterized in that it is equipped with one or more controllers capable (fig. 1, #22), when release information for release of one or more function restrictions is sent thereto from one or more host apparatuses/managing device (fig. 1, #12), of causing at least one restriction of at least one of the restricted function or functions to be released based on at least a portion of the release information/releasing key (fig. 4).

Regarding claim 5, Nakai discloses an electronic appliance according to claim 4, the electronic appliance being characterized in that it is constructed such that information associated with at least one of the host apparatus or apparatuses from which at least a

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portion of the function restriction release information was sent is registered at one or more storage units, and at least one of the function or functions subject to function restriction release is enabled for only at least one of the registered host apparatus or apparatuses (¶[0057]).

Regarding claim 6, Nakai discloses an electronic appliance function restriction release method according to claim 1 characterized in that the electronic appliance function restriction release method further comprises

one or more function restriction status determination steps wherein, in the event that one or more drivers capable of controlling at least one of the electronic appliance or appliances is or are installed on at least one of the host computer or computers (fig. 6, #22), at least one status of at least one restricted function of at least one of the electronic appliance or appliances is determined when at least one of the host computer or computers is connected to at least one of the electronic appliance or appliances (fig. 4, #S5);

one or more driver enabling steps wherein, in the event that one or more function restrictions has or have been released, at least one driver for at least one of the restricted function or functions is enabled (fig. 4, #U7); and

one or more driver disabling steps wherein, in the event that one or more function restrictions has or have not been released, at least one driver for at least one of the restricted function or functions is disabled (fig. 4, #U8 and S6).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aubrey H. Wyszynski whose telephone number is (571)272-8155. The examiner can normally be reached on Monday - Thursday, and alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AHW

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